

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
FEB 25 2008
JOHN F. CORCORAN, CLERK BY: <i>J. Bright</i> DEPUTY CLERK

EARL THOMAS, III,
Petitioner,
v.
GENE M. JOHNSON,
Respondent.

) Civil Action No. 7:07CV00286
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By: Hon. Glen E. Conrad
United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

that the respondent's motion to dismiss shall be and hereby is **GRANTED**, and the petition for
writ of habeas corpus shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket
of the court.

The Clerk is directed to send certified copies of this order and the accompanying
memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 25th day of February, 2008.

Glen Conrad

United States District Judge